

Entered - 4-29-09 sb
CL 09L0323 - GWENDOLYN BURNS

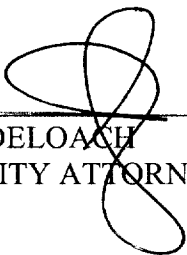
10- R -0273

CLAIM OF: LADON BOWLES

3835 Old Gordon Road, NW
Atlanta, Georgia 30336

For vehicular damages alleged to have been sustained from
driving over a metal plate on March 22, 2009 at Collier Road,
NW and Old Gordon Road, NW.

THIS REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

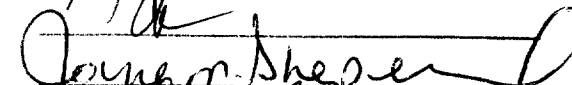
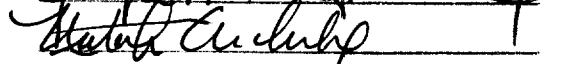
ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE 2/9/10

CHAIR 

FEB 15 2010

FEB 15 2010

ADVERSE
CIVIL
UNITED



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

February 25, 2010

55 TRINITY AVENUE, S.W.
SUITE 2700
ATLANTA, GEORGIA 30303
Main (404) 330-8033
Fax (404) 658-8103
Email municipalclerk@atlantaga.gov

Mr. Ladon Bowles
3835 Old Gordon Road, N.W.
Atlanta Georgia 30336

10-R-0237

Dear **Mr. Bowles**

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 15, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0323

Date: January 25, 2010

Claimant /Victim LADON BOWLES
BY: (Atty) (Ins. Co.) _____
Address: 3835 Old Gordon Road, NW, Atlanta, Georgia 30336
Subrogation: _____ Claim for Property damage \$ 300.00 Bodily Injury \$ _____
Date of Notice: 3/22/09 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/22/09 Place: Collier Road, NW & Old Gordon Road
Department PUBLIC WORKS Bureau: _____ Office: Transportation Services
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained vehicular damages when his vehicle was driven over a metal plate that was improperly covering a construction site in the road. However, the claimant has failed to pursue his claim.

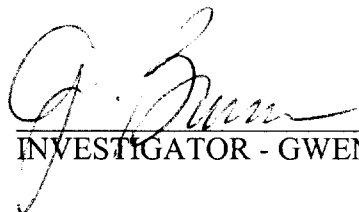
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

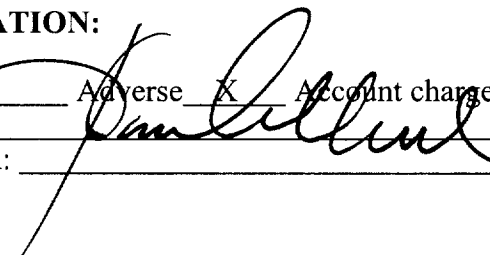
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: General Fund _____ Water & Sewer _____ Aviation _____
Claims Manager:  Concur/date 01/27/10
Committee Action: _____ Council Action _____

10- R -0273

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, SW
Atlanta, Georgia 30303

RE: CLAIM FOR DAMAGES

Today's Date: 4/15/09

ENTERED - 4-29-09 - SB
09L0323 - G. BURNS

BURNS
04/28/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 300.00 property and/or \$ 300.00 bodily injury for which I contend the City is liable.

1. Date of incident: 3/22/09 2. Time of incident: 7:30 3. Police called: N/A
4. Location of incident (including street address): Collier Rd. Just North of Old Orchard Rd.
5. Name of your insurance company: _____ Policy No. _____
6. State what and how incident occurred: Was driving north on Collier St. And Road plates were not laid right which caused cover plate to chase on muffler system and damage exhaust and muffler.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.
Your vehicle: 1977 Chevy DP SWY. Sha Jay Bowles
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: N/A
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Sha Jay Bowles
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

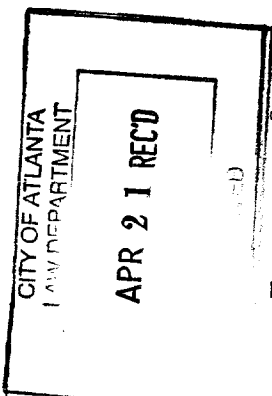
Signature of Claimant

Sha Jay Bowles
(Print Claimant's Name)

3835 Old Orchard Rd. N.W.
(Address)

ATLANTA, GA. 30336
(City, State and Zip Code)

404-408-3539
(Work Number) (Home Number)



Vehicle was being test drive due to repairs, and muffler system was fine.
Called to report incident and road crew was out after midnight →

RCS# 70
2/15/10
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

CONSENT I

		02-15-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0163	36. 10-R-0160	53. 10-R-0260
2. 10-O-0167	37. 10-R-0244	54. 10-R-0261
3. 10-O-0229	38. 10-R-0245	55. 10-R-0262
4. 10-O-0317	39. 10-R-0246	56. 10-R-0263
5. 10-O-0153	40. 10-R-0247	57. 10-R-0264
6. 10-O-0154	41. 10-R-0248	58. 10-R-0265
7. 10-O-0155	42. 10-R-0249	59. 10-R-0266
8. 10-O-0156	43. 10-R-0250	60. 10-R-0267
9. 10-O-0158	44. 10-R-0251	61. 10-R-0268
10. 10-O-0159	45. 10-R-0252	62. 10-R-0269
11. 10-O-0157	46. 10-R-0253	63. 10-R-0270
12. 10-R-0242	47. 10-R-0254	64. 10-R-0271
13. 10-R-0243	48. 10-R-0255	65. 10-R-0272
14. 10-R-0124	49. 10-R-0256	66. 10-R-0273
15. 10-R-0282	50. 10-R-0257	67. 10-R-0274
16. 10-R-0283	51. 10-R-0258	
17. 10-R-0284	52. 10-R-0259	
19. 10-R-0285		
20. 10-R-0286		
21. 10-R-0287		
22. 10-R-0295		
23. 10-R-0299		
24. 10-R-0300		
25. 10-R-0301		
26. 10-R-0302		
27. 10-R-0233		
28. 10-R-0234		
29. 10-R-0235		
30. 10-R-0236		
31. 10-R-0237		
32. 10-R-0238		
33. 10-R-0239		
34. 10-R-0240		
35. 10-R-0316		